

R E M A R K S

The applicant wishes to thank the Examiner in charge of this application for the courtesy and cooperation she extended applicant's undersigned counsel during the personal interview kindly granted on May 9, 2001 and for the telephone interview granted on May 10, 2001.

At the interview, the Examiner explained that claim 1 did not distinguish over the patent to Strack et al. because the preamble contained the open term "comprising", which means that additional elements may be included in the structure.

Claim 1 has now been amended to recite "a three-layer, elastic, flat-shaped laminate consisting essentially of..." to distinguish over Strack et al. which includes an inner layer as well as an adhesive.

At the interview, the Examiner noted that the terminology "consisting essentially of" does not exclude components that do not effect the novel characteristics of the invention.

Providing an additional layer of material, as disclosed by Strack et al., would certainly negatively effect the basic and novel characteristics of applicant's laminate. In particular, the provision of such an additional layer would impair the elastic characteristics of applicant's laminate and would make this laminate substantially more expensive to manufacture.

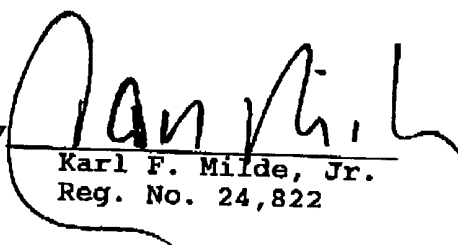
Accordingly, applicant's amended claim 1 is believed to distinguish patentably over Strack et al.

Applicant has also amended claim 20, the only other independent claim in this application, to include the word "essentially" in the preamble.

This application is now believed to be in condition for immediate allowance. A formal Notice of Allowance is therefore respectfully solicited.

Respectfully submitted,

By

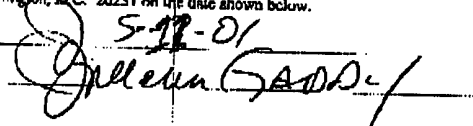

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By

5-12-01


VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Please Amend claims 1 and 20 as follows:

1. (Thrice Amended) [Multi-layer, elastic, flat-shaped article having a predefined shape, comprising] A three-layer, elastic, flat-shaped laminate consisting essentially of:

two outer layers made of a porous fibrous or filamentous batting; and

an inner layer, disposed between and adherent to said two outer layers, said inner layer consisting of strands of thermoplastic adhesive in a latticework configuration which adheres directly to said outer layers, the thermoplastic adhesive strands having elastic properties at room temperature such that the inner layer causes said flat-shaped article to recover after tensile loading, thereby to allow said article to be elastically stretched.

20. (Twice Amended) A three-layer laminate consisting essentially of:

two outer layers of a porous fibrous or filamentous batting, and

an inner layer sandwiched between said outer layers, said inner layer consisting of strands of thermoplastic adhesive in a latticework configuration which adheres

directly to the outer layers, each strand having a sinusoidal shape with vertices which touch or overlap the vertices of an adjacent strand so that each adjacent pair of strands forms a mirror symmetric configuration, the inner layer having elastic properties at room temperature, whereby said inner layer recovers said laminate after tensile loading.